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OPEN MEETING COVER SHEET

MEETING DATE: September 23, 2021

DATE DELIVERED: September 16, 2021

AGENDA ITEM NO.: 14

CAPTION: Project No. 52557– PUC Proceeding to
Nominate Texas Energy Reliability Council
members under Tex. Gov’t. Code Sec.
418.303

ACTION REQUESTED: Discussion and possible action with respect
to delegation of authority to the Executive
Director.

Distribution List:
Commissioners’ Offices (6)
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Journey, Stephen
Agenda

Public Utility Commission of Texas

Memorandum

TO: Chairman Peter Lake
Commissioner Will McAdams
Commissioner Lori Cobos
Commissioner Jimmy Glotfelty

FROM: Thomas J. Gleeson, Executive Director

DATE: September 16, 2021

RE: Project No. 52557, PUC Proceeding to Nominate Texas Energy Reliability Council Members Under Tex. Gov't. Code Sec. 418.303

Attached for your consideration at the September 23, 2021, Open Meeting is a draft order that approves a request from the Executive Director for a delegation of authority.

The Texas Legislature recently established the Texas Energy Reliability Council (“the Council”) to “(1) ensure that the energy and electric industries in this state meet high priority human needs and address critical infrastructure concerns; and (2) enhance coordination and communication in the energy and electric industries in this state.”¹ Chapter 418, Subchapter J, of the Texas Government Code describes the function and the membership of the Council and requires the PUC to nominate eight members to the Council, as follows:

“five persons to represent the electric industry [...] including:

(A) one person to represent entities that provide dispatchable electric energy to the power grid in this state;

(B) one person to represent transmission and distribution utilities, as defined by Section 31.002, Utilities Code;

(C) one person to represent retail electric providers, as defined by Section 31.002, Utilities Code;

(D) one person to represent municipally owned utilities, as defined by Section 11.003, Utilities Code; and

(E) one person to represent electric cooperatives; [and...]

“three persons to represent energy sectors not otherwise represented on the council, appointed by the Public Utility Commission of Texas.”²

¹ See TEX. GOV'T CODE §418.302(a), enacted by Tex. S.B. 3, 87th Leg., R.S. (2021).

² TEX. GOV'T CODE §418.303(a)(9)&(10).

The duties of the Council are to “foster communication and planning to ensure preparedness for making available and delivering energy and electricity in this state to ensure that high priority human needs are met and critical infrastructure needs are addressed,”³ and “foster communication and coordination between the energy and electric industries in this state.”⁴

I am prepared to solicit and evaluate candidates for these appointments. If you delegate that authority to me, I expect to appoint candidates quickly in order to ensure the Council is able to begin performing its duties as soon as possible. I will file a memorandum in Project No. 52557 providing instructions for interested individuals to indicate their interest and describe their qualifications by submitting: a letter of interest, a resume, and any additional information to inform the decision, such as a letter of support for their nomination from someone with a connection to the energy industry.

For the five persons designated to represent specific segments of the electric industry, I will appoint candidates based upon their qualifications as representatives of the named segments. For the additional three persons representing energy sectors not otherwise represented on the Council, I will also appoint candidates based on their knowledge and experience, with the added qualification that they can bring additional representation to the Council that would otherwise be missing.

REQUESTED ACTION:

Staff seeks a delegation of authority to the Executive Director to solicit candidates, evaluate their qualifications, and make the required appointments to the Texas Energy Reliability Council.

If you have any questions, please contact me at 512-936-7040.

³ TEX. GOV'T CODE §418.308(a).

⁴ TEX. GOV'T CODE §418.308(b).

PUC DOCKET NO. 52557

PUC PROCEEDING TO NOMINATE	§	PUBLIC UTILITY COMMISSION
TEXAS ENERGY RELIABILITY	§	
COUNCIL MEMBERS UNDER TEX.	§	OF TEXAS
GOV'T. CODE SEC. 418.303		

ORDER DELEGATING AUTHORITY TO THE EXECUTIVE DIRECTOR

This order addresses Commission Staff's request for an order delegating to the Executive Director all necessary authority to solicit candidates, evaluate their qualifications, and make the required appointments to the Texas Energy Reliability Council for the first PUC appointee to fill each seat designated to be appointed by the Commission under Texas Government Code § 418.303(a)(9)&(10).

The Commission finds that the Commission Staff's plan for choosing candidates, as set forth in the memorandum dated September 16, 2021, is reasonable and approves the request to delegate authority to the Executive Director to solicit candidates, evaluate their qualifications and make the required appointments.

SIGNED AT AUSTIN, TEXAS the _____ day of September 2021

PUBLIC UTILITY COMMISSION OF TEXAS

PETER M. LAKE, CHAIRMAN

WILL MCADAMS, COMMISSIONER

LORI COBOS, COMMISSIONER

JIMMY GLOTFELTY, COMMISSIONER